

**Board of Supervisors**  
**Thursday, September 9th, 2010 @ 6:30 PM**  
**Lynn Twp.-7911 Kings Hgwy., New Tripoli**

**Call to Order:** The regular meeting of the Lynn Township Board of Supervisors was called to order by Chairman David C. Najarian, at 6:30 pm in the Municipal Building. Present were Chairman David C. Najarian, Vice Chairman Brian C. Dietrich, Member Kermit E. DeLong Jr., Zoning Officer Kevin N. Deppe, Secretary/Treasurer Tammy M. White, Solicitor Brian Collins, Engineer Ed Koehler, NW Press Reporter Ken Petrini, and approximately 9 citizens.

**Pledge of Allegiance:** The Pledge of Allegiance was conducted.

**Public Comment:** (1) Resident, Richard Metzger stated that the New Tripoli Fire Company officers listed in the 2010 fall newsletter was not a list of current officers.

**Accept the Minutes and Direct the Treasurer to pay the bills:** A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to accept the minutes from 08/12/10. Motion carried unanimously. A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to direct the treasurer to pay the bills. David C. Najarian abstained from the vote due to the payment of the Horwith Fuel Oil bill. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 because he recused himself in the event a bill would need to be paid to the Lynnport Fire Company. Motion carried.

**Subdivisions:** Greg Snyder Subdivision #10-03: A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong to grant the following 5 written waivers for the Greg Snyder Subdivision #10-03, dated September 2, 2010, from the Lynn Township Subdivision and Land Development Ordinance~ Section 311- The requirement of having the proposed subdivision drawn at a scale of 1 inch = 50 feet or 1 inch - 100 feet. Section 511.2- The installment of curbing. Section 511.3- The installment of sidewalks. Section 511.9- Providing street lights. Section 511.11- Providing shade trees, and to note the waivers on the plans and that all outstanding fees are paid. Motion carried unanimously. A motion was made by David C. Najarian and seconded by Brian C. Dietrich granting Preliminary Approval subject to comments as noted from the Zoning officer and Engineer. Motion carried unanimously. NES Family Trust #10-04 Final: A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich granting final approval to the NES Family Trust #10-04, one non-building lot. Motion carried unanimously. Nancy Smith stated that the lot will be used for sheep.

**Road Report:** Bruce Raber, Roadmaster, reported for the month of August: (1) Finished up dirt roads. (2) Made some truck repairs and changed oil. (3) Replaced and repaired road name signs. (4) Worked 3 days setting up and taking down for Night in the Country. (5) Completed approximately ¾ shoulders mowing in Lynn Township. (6) Filled holes on black top roads; used about 2 ton of cold patch. (7) Put millings on Kemp School House Rd., our half and Weisenberg's half. (This is the second road for the season we changed from dirt road to black top). (8) Hauled scrap metal from the recycling center and old metal pipe and received \$220.00; total received to date is \$1,015.40. (9) Started filling in two large ditches with broken up concrete that we are getting from Lowhill Twp.; 1 on Slateville Rd. and 1 on Blue Mt. House Rd. Anticipated work for September: (1) Finish shoulder mowing. (2) Finish up two large ditches. (3) Go around and fill holes on dirt roads. (4) Cut some shoulders.

**Ag Security Resolution:** Resolution 2010-18; A motion was made by David C. Najarian and seconded by Brian C. Dietrich to adopt Resolution 2010-18; **A RESOLUTION OF THE BOARD OF SUPERVISORS OF LYNN TOWNSHIP, LEHIGH COUNTY, PA. TO INCLUDE (3) TRACTS OF ADDITIONAL LANDS TOTALING 74 ACRES WITHIN THE AGRICULTURAL SECURITY AREA OWNED BY ALICE J. P. BASTIAN; PIN # 542903235505 1, 541983929780 1, AND 541982521855 1.** Motion carried unanimously.

**Joint Salt Bid:** A motion was made by David C. Najarian and seconded by Kermit E. DeLong to award the joint salt bid to Oceanport LLC for 200 Ton of sodium chloride deicing rock salt @ \$59.69/ton Unit Price Delivered, for a total cost of \$11,938.00. Motion carried unanimously. Upper Macungie Township did the joint bidding. The results were as follows:

**Joint Bids - Received for Salt, 3050 Tons -**  
**Sodium Chloride Deicing Rock Salt**

Salt Bids Received	Sodium Chloride Deicing Rock Salt -	
	LYNN TOWNSHIP'S PORTION=200 TON	
Cargill Deicing Technology 24950 Country Club Blvd Suite 450 North Olmsted, OH 44070	<u>200TON</u>	
	Unit Price FOB Plant	\$65.00
	Total =	\$13,000.00
	Unit Price Del. As directed	\$67.16
International Salt Co., LLC	Total =	\$13,432.00
	<u>200TON</u>	
	Unit Price FOB Plant	\$69.00



655 Northern Blvd. Clarks Summit, PA 18411-8740	Total = \$13,800.00 Unit Price Del. @ job site \$69.74 Total = \$13,948.00 Unit Price Del. As directed \$69.74 Total = \$13,948.00
Eastern Salt Co. 15 Tyngsboro Road North Chelmsford, MA 01863	<b>200TON</b> Unit Price FOB Plant \$64.00 Total = \$12,800.00 Unit Price Del. @ job site \$64.00 Total = \$12,800.00 Unit Price Del. As directed \$64.00 Total = \$12,800.00
Oceanport LLC P.O. Box608 Claymont, DE 19703	<b>200TON</b> Unit Price FOB Plant \$59.00 Total = \$11,800.00 Unit Price Del. @ job site \$59.69 Total = \$11,938.00
American Rock Salt Company, LLC P.O. Box 190 Mt. Morris, NY 14510	<b>200TON</b> Unit Price Del. As directed \$63.46 Total = \$12,692.00

**Nuisance Ordinance:** The BOS agreed to forward the Nuisance Ordinance, Junk Car Ordinance, and SMP Ordinance to the Lynn Township Planning Commission and the Lynn Township EAC for their comments along with any minutes from the BOS meetings relating to the ordinances.

**Ordinance for additional costs for fire co.:** A motion was made by Brian C. Dietrich and seconded by Kermit E. DeLong directing Solicitor Marc Fisher to move forward with advertising and arranging for comments regarding; **AN ORDINANCE OF LYNN TOWNSHIP, LEHIGH COUNTY, PA AUTHORIZING THE COLLECTION OF INCIDENT FEES FROM PERSON(S) OR LEGAL ENTITY(S) FINANCIALLY RESPONSIBLE OR LEGALLY LIABLE FOR SUCH INCIDENTS; DIRECTING THE FIRE COMPANIES TO ESTABLISH A SCHEDULE OF FEES TO REIMBURSE THOSE FIRE COMPANIES FOR COSTS AND EXPENSES ASSOCIATED WITH CERTAIN INCIDENTS; ESTABLISHING PROCEDURES FOR THE PROCESSING OF CLAIMS AND REQUIRED PAYMENTS; AND ESTABLISHING PENALTIES FOR EXCESSIVE FALSE ALARMS.** David C. Najarian abstained from the vote. Dave Najarian prepared a Conflict of Interest Memorandum of Abstention in January 2008 because he recused himself in the event a bill would need to be paid to the Lynnport Fire Company. Motion carried.

**Burn Ban:** Attorney, Brian Collins stated that Marc Fisher responded that under the current Township Managers Ordinance the Township Manager has the authority to enact and repeal a burn ban. Dave Najarian stated that he would like something in writing from Marc Fisher confirming that statement.

**Trick or Treat Night:** The BOS set Trick or Treat Night for Saturday, October 30, 2010 from 6pm till 8pm with no rain date.

**Managers Report:** Kevin Deppe, Township Manager, reported **UPDATES:** (1) Mr. Brian Hardy did not comply with Solicitor Marc Fisher's suggestion which was given to him at the August 12<sup>th</sup> BOS meeting, concerning his garage located off of Cardinal Rd. Suggested to Mr. Hardy was: 1<sup>st</sup> - Apply and complete another building permit, which will be denied by Kevin Deppe right on the spot. 2<sup>nd</sup> - Apply and complete a zoning application and pay the fee, turn it in within a week. 3<sup>rd</sup> - Go in front of the ZHB, the ZHB has to determine if in fact Mr. Hardy is in violation and if so ask for a variance and make his argument. If the ZHB determines that Mr. Hardy is not in violation, then the issue ends. Dave Najarian had also suggested that Mr. Hardy consult an attorney on the legal rights of property because right now Mr. Hardy has an unappealed determination and is in violation and the Township could go to the District Judge to levy Fines. The BOS directed Kevin Deppe to move forward on the issue with the District Magistrate. (2) An enforcement has been sent to Mr. Charles Miller concerning the renovations to the house on his lot. Kevin Deppe stated that the plans were not sufficient and the permit was denied. (3) The Lynn/Heidelberg Historical Society President, Willard Snyder, confirmed with Kevin Deppe that he has spoken with three insurance companies concerning insurance coverage for the buildings in Ontelaunee Park, all of which are willing to provide insurance for the buildings and the contents, but are not willing to furnish the liability insurance. David Najarian made a motion seconded by Brian Dietrich to accept as sufficient terms of lease. David Najarian withdrew his motion. The BOS directed Marc Fisher to review the current agreement between Lynn Township and the Historical Society and make the necessary changes. (4) The UV system in Ontelaunee Park will be fixed temporarily, but will need to be corrected properly. Kevin Deppe stated that he has received one quote and will



be obtaining 2 more quotes to correct the issue. The BOS was ok with including the cost in the 2011 budget. (5) Kevin Deppe brought up Bill 1042 Act 46 which extends permits to the 2013. The passing of this bill affects Omega Homes, Penn's View II. The bill was passed due to the economic conditions. Kevin Deppe stated that based on Marc Fisher's comments, he is in agreement that the bill applies to Penn's View II. Dave Najarian stated if that is the case the party in question should have to meet the conditions right away with no conditional final approval. Dave Najarian stated he was not in agreement. (6) Kevin Deppe informed the BOS that Lehigh County will possibly be taking the tree and brush cutting out of their budget for 2011. The organization runs on a calendar year. They will be meeting by the end of October to discuss the possible budget cut. If they decide to take it out of the budget, Lynn Township will no longer be able to accept yard waste at the Transfer Station. Lehigh County will be in contact with us as to their decision.

**Miscellaneous:** (1) Kermit DeLong stated that the recent solar panel issue has been resolved and wanted to know how Dave Najarian stood with Code Master. Dave Najarian stated he would like to add to the list of code enforcement. Kevin Deppe stated that he felt by doing that it would create more problems.

**Public Comment:** Resident, Richard Metzger announced that the Lynn-Heidelberg Historical Society will be hosting Pioneer Festival on Saturday, October 2, 2010 from 11am till 4 pm. There is also an Antique car show for local residence only. Dave Najarian stated that they should use the front entrance only.

**Announcements:** (1) Household Hazardous Waste Collection Program: Saturday, September 25, 2010 8am-12pm @Lehigh County Authority Wastewater Plant. For more info see flyer located in Township office.

**Adjournment:** A motion was made by Kermit E. DeLong and seconded by Brian C. Dietrich to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:05 pm.

**As of September 30, 2010**

Account	Balance
General Fund	492,191.96
Capital Reserve	467,412.60
Zoning/Subdivision	15,358.93
HLLW COG	45,354.13
State Road	18,978.87
Street Light	3,738.93
Park	21,960.06
Recreation	28,375.53
<b>Total</b>	<b>1,093,371.01</b>

	<u>Sep 10</u>
<b>Income-GENERAL FUND</b>	
301 · Real Property Taxes	
301.10 · Real Estate Tax-Current	2,303.90
301.20 · Real Estate Tax-Prior	-12.71
301.60 · Real Estate Tax-Interim-Current	68.13
<b>Total 301 · Real Property Taxes</b>	<b>2,359.32</b>
310 · Local Tax Enabling Act	
310.10 · Real Estate Transfer Tax	3,356.50
310.20 · Earned Income Tax	
310.21 · Earned Income Tax-Current	48,828.80
<b>Total 310.20 · Earned Income Tax</b>	<b>48,828.80</b>
<b>Total 310 · Local Tax Enabling Act</b>	<b>52,185.30</b>
331 · Fines	
331.10 · Court - Magistrate	161.84
<b>Total 331 · Fines</b>	<b>161.84</b>
342 · Interest, Rents & Royalties	
342.53 · Royalties from Cell Tower Rent	1,100.00
<b>Total 342 · Interest, Rents &amp; Royalties</b>	<b>1,100.00</b>
355 · Shared Revenue & Entitlements	
355.99 · Fire Relief Account	30,677.14
<b>Total 355 · Shared Revenue &amp; Entitlements</b>	<b>30,677.14</b>
356 · State Payments in Lieu of Taxes	
356.02 · Game Commission	1,992.66
<b>Total 356 · State Payments in Lieu of Taxes</b>	<b>1,992.66</b>

360 · Gen. Govt. Charges for Services

361 · General Government

361.87 · Sale of Maps & Publications	20.00
361.88 · Copy Fee	0.25
361.90 · Mechanical/HVAC Permit	104.00
361.94 · Misc. Billing	1.75
361.97 · Zoning Board Appeal Fee	-750.00

Total 361 · General Government -624.00

362 · Public Safety

362.40 · Protective Inspection Fees

362.41 · Building Permit

362.41A · Permit for Ag. Bldg.	165.00
362.41B · BLDG/Alter/Repair Permit	154.00
362.41D · Driveway Permit	175.00
362.41F · Building Permit Filed	600.00
362.41K · Deck, Patios, Patio Roof, Porch	104.00
362.41N · Re-inspection	100.00
362.41P · Pool/Hot Tub/Spa Permit	104.00
362.41S · Accessory Struc < 1000 ft	75.00

Total 362.41 · Building Permit 1,477.00

362.42 · Electrical Permit 298.00

362.43 · Plumbing Permit 179.00

Total 362.40 · Protective Inspection Fees 1,954.00

Total 362 · Public Safety 1,954.00

364 · Sanitation

364.30 · Solid Waste Collection/Disposal 1,555.70

Total 364 · Sanitation 1,555.70

Total 360 · Gen. Govt. Charges for Services 2,885.70

389 · Unclassified Income 25.00

**Total Income 91,386.96**

Expense

400 · General Government

400.00 · Legislative (Governing) Body

400.05 · Supervisor Salaries 413.66

Total 400.00 · Legislative (Governing) Body 413.66

403 · Tax Collection

403.16 · Commission Paid as Compensation 9,938.91

Total 403 · Tax Collection 9,938.91

404 · Solicitor/Legal Services

2,057.00

405 · Secretary/Clerk

405.12 · Salary Township Secretary 2,023.17

Total 405 · Secretary/Clerk 2,023.17

406 · Other General Govt. Admin

406.12 · Salary Full Time Staff 1,889.74

406.21 · Office Supplies 119.90

406.23 · Postage 440.96

406.32 · Communication - Phone/Wireless 490.41

406.34 · Advertising 25.70

406.38 · Rentals 123.00

406.46 · Mtg., Conf., Cont. Ed. 60.00

406.99 · Payroll 222.40

Total 406 · Other General Govt. Admin 3,372.11

408 · Engineering Services

408.99 · Township engineer 1,555.15



Total 408 · Engineering Services	1,555.15
409 · General Government Bldg&Plants	
409.36 · Public Utility Services (TWP)	377.53
409.44 · Laundry/Other Sanitary Services	<u>298.79</u>
Total 409 · General Government Bldg&Plants	<u>676.32</u>
Total 400 · General Government	20,036.32
410 · Public Safety	
411 · Fire	
411.98 · New Tripoli FC Fuel	287.10
411.99 · Fire Company - Miscellaneous	<u>30,677.14</u>
Total 411 · Fire	30,964.24
412 · Ambulance/Rescue	
412.98 · Fuel	<u>704.01</u>
Total 412 · Ambulance/Rescue	704.01
413 · Code Enforcement	
413.31 · Code enforcement pro. service	<u>4,786.84</u>
Total 413 · Code Enforcement	4,786.84
414 · Planning & Zoning	
414.31 · Professional services	500.00
414.33 · Transportation Costs	392.00
414.34 · ZB Advertising, Print, & Bind	66.66
414.99 · Salary Zoning Officer	<u>3,370.16</u>
Total 414 · Planning & Zoning	4,328.82
419 · Other Public Safety	
419.99 · PA One Call	<u>16.20</u>
Total 419 · Other Public Safety	<u>16.20</u>
Total 410 · Public Safety	40,800.11
420 · Health and Human Services	
426 · Gen Gov Recycling Col & Dis	
426.15 · Transfer/Recycle Salaries	460.65
426.44 · Sanitation Services	<u>1,618.75</u>
Total 426 · Gen Gov Recycling Col & Dis	<u>2,079.40</u>
Total 420 · Health and Human Services	2,079.40
430 · Public Works Hwy,Rds,Streets	
437 · Repair of Tools & Machinery	
437.98 · Repair of Machinery	449.19
437.99 · Truck Repair	<u>2,115.90</u>
Total 437 · Repair of Tools & Machinery	2,565.09
438 · Road/Bridge Maint. and Repair	
438.14 · Salaries for Road Maint	8,356.90
438.25 · Repairs & Maint Supplies	868.72
438.99 · Truck Fuel	<u>1,295.64</u>
Total 438 · Road/Bridge Maint. and Repair	<u>10,521.26</u>
Total 430 · Public Works Hwy,Rds,Streets	13,086.35
450 · Culture-Recreation	
452 · Participant Recreation	
452.15 · Participant Recreation - P/T	<u>408.46</u>
Total 452 · Participant Recreation	408.46
454 · GF Parks	
454.15 · Parks part time staff (GF)	<u>619.16</u>
Total 454 · GF Parks	<u>619.16</u>
Total 450 · Culture-Recreation	1,027.62
480 · Misc. Expense	

481 · Employer paid Taxes	
481.10 · Employer paid FICA	1,426.81
481.20 · Employer paid Medicare	333.69
481.30 · Employer paid Unemployment Comp	135.09
Total 481 · Employer paid Taxes	1,895.59
487 · Other Group Insurance Benefits	
487.01 · Health Insurance	9,451.89
487.02 · Life Insurance	37.50
Total 487 · Other Group Insurance Benefits	9,489.39
489 · All other unclassified Expenses	
489.98 · Clothing Allowance	39.98
489.99 · EE withholding taxes	4,975.12
Total 489 · All other unclassified Expenses	5,015.10
Total 480 · Misc. Expense	16,400.08
Total Expense	93,429.88
Net Income	-2,042.92
	Sep 10

Income-LIGHT FUND

383.11 · Street Lighting Tax 41.86

Total Income 41.86

Expense

434 · Street Lighting

    434.36 · Street Lighting Electric 833.90

Total 434 · Street Lighting 833.90

Total Expense 833.90

Net Income -792.04

Sep 10

Income-REC FUND

341.01 · Interest on Checking 6.22

Total Income 6.22

Expense 0.00

Net Income 6.22

Sep 10

Income-ESCROW FUND

361 · General Government

    361.96 · Subdivision Escrow Deposit 2,500.00

Total 361 · General Government 2,500.00

Total Income 2,500.00

Expense 0.00

Net Income 2,500.00

Sep 10

Income-PARK FUND

342.59 · Rental of Park Facilities 150.00

387 · Contributions and Donations 60.00

Total Income 210.00

Expense

454 · Parks

    454.25 · Repairs & Maintenance Supplies 8,337.51

    454.28 · Park Equipment 2,142.00

    454.36 · Public Utilities 116.47

Total 454 · Parks	10,595.98
Total Expense	10,595.98
Net Income	-10,385.98
Total Income (all accounts)	94,145.04
Total Expense (all accounts)	104,859.76
Net Income(all accounts)	-10,714.72

Respectfully Submitted,

*Tammy M. White*

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Secretary/Treasurer

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